

Notice of Allowability

Application No.

09/964,045

Applicant(s)

GREENE, SCOTT R.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 26 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

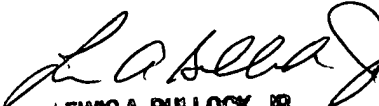
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12/18/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-10 are allowed.
2. The following is an examiner's statement of reasons for allowance: The claims are allowable for at least the following reason.

The cited claims detail steps of determining whether the performance of the other tasks of the maintenance plan can be rescheduled such that the maintenance plan can be completed within the predetermined threshold time, soliciting additional resources from a higher level when at least one resource cannot be rescheduled to execute the other tasks of the maintenance plan within the predetermined threshold time; and allocating additional resources to the level and thereafter rescheduling the at least one resource to include the additional resources allocated to act on a portion of the at least one tasks. None of the prior art of record either teaches this combination or can be combined to teach this combination. U.S. Patent 5,889,956 teaches allocating resources in a hierarchical resource management system by using allowable allocation boundaries. The system teaches each entity having a minimum guaranteed variable and a maximum allowed variable wherein resources are granted to a lower level entity if both entities are not using their maximum allowed resource allocation. The cited teaching does not consider whether a maintenance plan of the tasks is over a predetermined threshold time as disclosed in the claims and therefore does not teach the invention or can be combined with any reference to teach the invention since the patent must use allowable boundaries to determine allocation. U. S. Patents 5,682,530

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and 6,333,936 teach a hierarchical resource management system wherein child resource managers are created and if their parent resource managers have sufficient resources to cover their operations, then those resources are used and if the parent resource managers do not have sufficient resources then the resources of the entire system are determined whether there are in use and allocated accordingly. U.S. Patents 5,682,530 and 6,333,936 also do not consider whether a maintenance plan of the tasks is over a predetermined threshold time in determining whether to allocate the resources as disclosed in the claims and therefore the claims are allowable over the cited references. U.S. Patent 6,351,734 teaches allocating total resources in order to complete a hierarchy project. U.S. Patent 6,351,734 does not consider whether a maintenance plan of the tasks is over a predetermined threshold time in determining whether to allocate the resources of a hierarchy system as disclosed in the claims and therefore the claims are allowable over the cited reference. Therefore, the claims are allowable over the cited prior art of record.

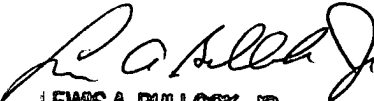
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 24, 2005


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER